

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v-

No. 19-CR-875-LTS

CHRISTOPHER et al.,

Defendants.

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ORDER

The Court has reviewed the Defendants’ Motions to Suppress certain physical and identification evidence (Docket Entry Nos. 48-54), as well as the subsequent submissions of the parties (Docket Entry Nos. 55, 59, 60). The Court hereby directs the Government to file a sur-reponse addressing two issues raised in its memorandum opposing Defendant Wade’s Motion.

First, the Government shall clarify the legal basis upon the current factual record for its position that the plain view doctrine applies to Defendant Wade’s cellphones and the evidence referred to as a “narcotics ledger” (Docket Entry No. 57, at 5). Second, the Government shall clarify the factual basis for its assertion that the arresting officers had probable

cause to search the “Wade Vehicle” (Docket Entry No. 57, at 22) under the automobile exception to the warrant requirement of the Fourth Amendment.

The Government’s sur-reponse must be filed by **August 28, 2020**. Any sur-reply by Defendant Wade must be filed by **September 4, 2020**.

SO ORDERED.

Dated: New York, New York
August 14, 2020

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge